

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 97-CR80995  
HON. DENISE PAGE HOOD

SCOTT KUERBITZ D-14,

Defendants.

FREDERICK M. TOCA, JR. (P56608)  
Attorney for Plaintiff  
30500 Northwestern Hwy., Ste. 500  
Farmington Hills, MI. 48334  
(248) 737-1891

FILED  
2005 JUN -2 P 2:48  
U.S. DISTRICT COURT  
EASTERN DISTRICT  
OF MICHIGAN  
DETROIT

**MOTION FOR RELEASE OF LIEN**

NOW COMES Defendant, SCOTT KUERBITZ, by and through his attorney, FREDERICK M. TOCA, JR., and in support of his instant Motion states unto this Honorable Court as follows:

1. That Defendant has paid all outstanding fines, costs and parole fees associated with this matter.
2. That Defendant has complied with all terms of his sentence and his parole, with no violations whatsoever.
3. That as a result of his sentence in this matter and pending payment of outstanding fines, a lien was placed on Defendant's real property.
4. That upon payment of all fines and costs associated with this matter,

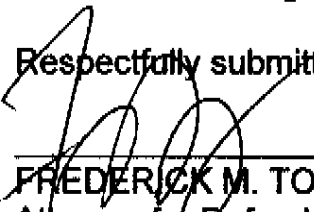
the lien on Defendant's property should have been released.

5. That Defendant is attempting to sell his home, however with the lien in place, cannot do so.

WHEREFORE Plaintiff prays that this Honorable Court grant his Motion.

Date: May 27, 2005

Respectfully submitted,



FREDERICK M. TOCA, JR. (P56608)  
Attorney for Defendant  
30500 Northwestern Hwy., Ste. 500  
Farmington Hills, MI. 48334  
(248) 737-1891

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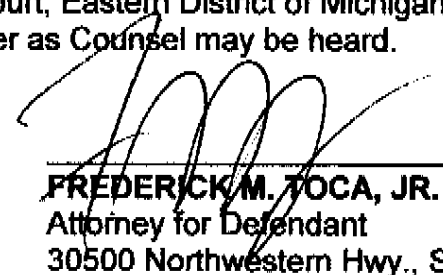
**NOTICE OF HEARING**

TO: Mr. Craig Morford  
United States Attorney  
211 W. Fort St., Ste. 2001  
Detroit, Michigan 48226

FILED  
JUN -2 P 2:48  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
DETROIT

**PLEASE TAKE NOTICE** that Motion for Release of Lien will be brought on for Hearing on a date and time to be set by the Court, before the Honorable Denise Page Hood, at the United States District Court, Eastern District of Michigan, 231 W. Lafayette, Detroit, Michigan or as soon thereafter as Counsel may be heard.

Date: May 27, 2005

  
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**FREDERICK M. TOCA, JR. (P56608)**  
Attorney for Defendant  
30500 Northwestern Hwy., Ste. 500  
Farmington Hills, MI. 48334  
(248) 737-1891

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U.S. DIST. COURT CLERK  
EASTERN DIST. MICH.  
DETROIT

PROOF OF SERVICE

NICOLE DAVIS, being first duly sworn, deposes and states that on the 27<sup>th</sup> day of May, 2005, she served copies of: **Motion for Release of Lien, Notice of Hearing and Proof of Service** which the originals are annexed hereto, upon:

Mr. Craig Morford  
United States Attorney  
211 W. Fort St., Ste. 2001  
Detroit, Michigan 48226

relative to the above-entitled matter, by carefully enclosing same in a envelope plainly addressed to said party and depositing same in a United States Post Office in the City of Farmington Hills with postage fully prepaid.

  
Nicole M. Davis